

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 41552
Smith, Terry J., et al. : Confirmation Number: 5468
Application No.: 10/038,509 : Tech Center Art Unit: 1644
Filed: January 03, 2002 : Examiner: ROONEY, Nora Maureen
: For: DIAGNOSIS AND THERAPY OF ANTIBODY-MEDIATED INFLAMMATORY AUTO-
IMMUNE DISORDERS

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 27, 2008 of the Primary Examiner finally rejecting claims 1 and 3-11.

Appeal Fee: \$270.00

Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Astrid R. Spain/

Astrid R. Spain
Registration No. 47,956

**Please recognize our Customer No. 41552 as
our correspondence address.**

11682 El Camino Real, Suite 400
San Diego, CA 92130
Phone: 858.720.3300 ARS:cjh
Facsimile: 858.720.7800
Date: December 23, 2008